

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

JASON ROMERO,

Plaintiff,

v.

STATE OF WASHINGTON et al,

Defendants.

CASE NO. 2:20-cv-01027-TL

WRIT OF *HABEAS CORPUS AD*  
*TESTIFICANDUM*

This matter comes before the Court on Plaintiff Jason Romero’s (DOC Number 819506) motion for the issuance of a writ of *habeas corpus ad testificandum* (Dkt. No. 78) to Defendant Washington State Department of Corrections (“DOC”), to produce Mr. Romero for trial in Courtroom 14206 of the Seattle courthouse, at 700 Stewart Street, Seattle, Washington, on the trial date, **Tuesday, October 10, 2023**, for the duration of the trial. Mr. Romero is in the custody of the State and is currently incarcerated in the Monroe Correctional Complex (“MCC”) in Monroe, Washington. Dkt. No. 78-1.

1 In addition to his request that DOC produce him for the upcoming trial, Mr. Romero also  
2 requests that, during the trial, he be permitted to wear civilian clothes, remain without handcuffs  
3 or shackles in the presence of the jury, sit with his counsel, and not be escorted by law  
4 enforcement or security personnel in the presence of the jury. Dkt. No. 78 at 2.

5 DOC does not oppose the motion in substance but questions whether DOC or the U.S.  
6 Marshals Service should provide security in the courthouse during the trial. Dkt. No. 79 at 2.  
7 DOC proposes that the logistics of courtroom security be addressed at the pretrial conference,  
8 scheduled for **October 3, 2023**. *Id.*

9 Mr. Romero is an important witness in his own lawsuit, and it is necessary that he appear  
10 in person before the Court. The specific requests he makes help diminish the risk of jury bias and  
11 unfair prejudice during trial. Defendants do not identify any potential security or cost concerns  
12 with granting Mr. Romero's motion.


13 Accordingly, the Court GRANTS Plaintiff's motion. It is hereby ORDERED that DOC SHALL  
14 transport Mr. Romero from the physical custody of the MCC to appear before the United States  
15 District Court, the Honorable Tana Lin, on **Tuesday, October 10, 2023, at 9:00 a.m.**, for the  
16 purpose of attending the trial in the above-captioned matter. DOC SHALL make arrangements to  
17 transport Mr. Romero to and from his trial in the above-captioned matter on each day of trial and  
18 to return him to the care, custody, and control of the Warden of MCC at the completion of trial.  
19 DOC SHALL further coordinate with the United States Marshals Service to make security  
20 arrangements for Mr. Romero during the trial. The precise logistics of the security arrangements  
21 in the courthouse for Mr. Romero during the trial will be discussed at the pre-trial conference.

22 It is further ORDERED that the DOC will:

23 (1) permit Mr. Romero to wear civilian clothes during trial;  
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- 1 (2) permit Mr. Romero to remain un-handcuffed and un-shackled in the presence of  
2 the jury, unless Mr. Romero presents a security risk during trial;
- 3 (3) permit Mr. Romero to sit at the counsel table next to his counsel during trial,  
4 unless Mr. Romero presents a security risk during trial;
- 5 (4) ensure Mr. Romero is not escorted by DOC law enforcement or security  
6 personnel in the presence of the jury, unless Mr. Romero presents a security risk  
7 during trial.

8 Dated this 31st day of August 2023.

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11 Tana Lin  
12 United States District Judge  
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